



Environmental Fact Sheet

LAND DISPOSAL RESTRICTIONS - SECOND THIRD

BACKGROUND

The 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA) prohibit the continued land disposal of untreated hazardous waste beyond specified dates, unless a petitioner demonstrates that the hazardous constituents will not migrate from the land disposal unit for as long as the waste remains hazardous. The amendments require the Environmental Protection Agency to: (1) rank all listed hazardous wastes so that wastes with high intrinsic hazard and volume would be restricted from land disposal first, and wastes with low intrinsic hazard and volume would be dealt with last; (2) separate the list of wastes into a schedule of thirds; and (3) set treatment standards for all hazardous wastes that will diminish the toxicity of the wastes or reduce the likelihood of the migration of their hazardous constituents.

EPA met the August 8, 1988, deadline for promulgation of treatment standards for the First Third of the listed hazardous wastes. The deadline for the Second Third of the listed hazardous wastes is June 8, 1989.

ACTION

This rulemaking presents EPA's final approach to implementing the land disposal restrictions for the Second Third hazardous wastes. Specifically, for 34 Second Third hazardous wastes, this rule establishes treatment standards based on treatment performance of the Best Demonstrated Available Technology (BDAT) and specifies when those standards will be effective.

Most of the treatment standards in this rule are expressed as concentrations measured in the treatment residues. As such, any technology not otherwise prohibited (e.g., impermissible dilution) may be used to meet the treatment standards. In some cases, due to difficulties with analytical methods, a treatment method

(incineration or carbon absorption) has been specified as the treatment standard.

EPA's approach to waste analysis requires using both total constituent concentration and extract from the Toxicity Characteristic Leaching Procedure measures of the performance achievable by BDAT.

EPA is delaying the effective date of the following cyanide-containing wastes until July 8, 1989: F006, F007, F008, and F009 (electroplating wastes), and F011 and F012 (heat treating wastes). In addition, the Agency is, in effect, establishing a bifurcated treatment standard for F011 and F012 wastes: between July 8 and December 8, 1989, the treatment standard is 590 mg/kg for total cyanide and 30 mg/kg for amenable cyanide; after December 8, 1989, it is 110 mg/kg for total cyanide and 9.1 mg/kg for amenable cyanide. EPA is delaying these effective dates to allow time for facilities to adjust existing cyanide treatment processes to operate more efficiently.

Second Third wastes for which standards are not proposed will be subject to the "soft hammer" provisions of RCRA, which will allow continued land disposal until May 8, 1990, if certain conditions are met. In addition, this rule determines the treatment standards for 19 First Third wastes that are currently subject to the "soft hammer" provisions, 14 Third Third wastes, and 4 "Newly Listed" wastes. EPA is also promulgating prohibitions and effective dates for wastes that are currently being disposed of by means of underground injection.

CONTACT

For further information or to order a copy of the *Federal Register* notice, please contact the RCRA Hotline Monday through Friday, 8:30 a.m. to 7:30 p.m. EST. The national toll-free number is (800) 424-9346; in Washington, D.C., the number is (202) 382-3000.